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Letter dated 11 November 1998 from the Chargé d'affaires of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the General Assembly

Upon the instruction of my Government, I have the honour to enclose herewith the preliminary reaction of the Federal Republic of Yugoslavia to the periodic report contained in documents A/53/322 of 11 September 1998 and A/53/322/Add.1 of 30 October 1998 submitted by Jiri Dienstbier, Special Rapporteur of the Commission on Human Rights, on the situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia, sections relating to the Federal Republic of Yugoslavia.

1. The Government of the Federal Republic of Yugoslavia deplores the fact that the Special Rapporteur did not make any reference in his report to the separatism and terrorism of the so-called Kosovo Liberation Army (KLA). Although the Security Council in its resolutions 1199 (1998) and 1203 (1998) condemned terrorism and foreign support to terrorists, including arms supplies and military training, the report turns a blind eye to KLA terrorist activities and the assistance rendered it from abroad. The failure of the Special Rapporteur to point to the role the Republic of Albania plays as the main logistic base of the terrorists which they use for recruitment, financing, arming and training and from which they infiltrate armed groups into Kosovo and Metohija over the Yugoslav-Albanian border, devoids the picture of the situation in that autonomous province of the Yugoslav Republic of Serbia of its key elements, which largely explains the escalation of crisis in the province. As it failed to include these all-important data, the report makes no mention of the legitimate right of Serbia and the Federal Republic of Yugoslavia to defend themselves with all available legal means from separatist terrorism, aided and abetted from abroad. During 1998, more than 1,300 terrorist attacks have been committed in which more than 200 civilians, 90 members of security forces and 50 members of the Army of Yugoslavia have been killed, while over 250 persons have been kidnapped and over 3,500 Serbian homes looted and destroyed.

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2. In their operations, the Army of Yugoslavia and the Yugoslav security forces defended the Constitution of the Federal Republic of Yugoslavia and protected the lives of its citizens, taking exclusively legal measures aimed at stamping out separatist terrorism in the province. Implicating the Army and security forces of Yugoslavia in the abuses cited in the report is unfounded altogether. If certain persons exceeded their authority during the operations of these forces, they will be investigated and those charged will be tried and punished.

3. The overall situation in Kosovo and Metohija has radically improved and is quickly returning to normal. This has been brought about primarily by the efforts of the authorities of the Federal Republic of Yugoslavia and the Republic of Serbia and their consistent implementation of the agreements the Federal Republic of Yugoslavia has signed with the North Atlantic Treaty Organization and the Organization for Security and Cooperation in Europe, as well as the agreement between Yugoslav President Slobodan Milosevic and United States Special Envoy Richard Holbrooke. Conversely, the representatives of the political parties of the Albanian national minority have neither fulfilled, nor do they intend to fulfil, the basic demands of the international community: to forfeit their separatist goals, to denounce and condemn terrorism and to resume talks with the representatives of the Republic of Serbia and the Federal Republic of Yugoslavia immediately and unconditionally. In full breach of the Milosevic/Holbrooke agreement, KLA terrorists are taking over and manning illegally and in broad daylight the checkpoints vacated by the Yugoslav security forces. In doing so, they continue to kidnap and massacre police officers and civilians alike, in particular their fellow-Albanians who refused to join their ranks.

4. The Law on Universities has been modelled on similar laws in other European countries and in its essence it is not different at all from the laws regulating State universities in democratic countries. The citizens are expected to honour the laws, not to oppose them.

5. The Law on Public Information guarantees freedom of information, without monopolies and censorship. While not encroaching on the existing freedom of the press, it regulates an area which has long been left out of legal attention and establishes mechanisms to preclude abuses. The new Law does not ban the transmission of foreign news programmes; it introduces the principle of reciprocity, thus favouring the flow of information in both directions.

6. The Federal Republic of Yugoslavia reiterates once again that it is ready to continue its cooperation with Jiri Dienstbier, Special Rapporteur of the Commission on Human Rights, and Mary Robinson, United Nations High Commissioner for Human Rights. This has been borne out by the Agreement on the status of the UNHCR office in Belgrade signed in Geneva on 6 November 1998.

I would be grateful if you would have this letter circulated as an official document of the fifty-third regular session of the General Assembly under agenda item 110 (c).

(*Signed*) Vladislav **Jovanović**
Chargé d'affaires a.i.